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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,183	06/30/1999	MASAMI KATO	862.2914	7586

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EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/343,183

Applicant(s)

KATO, MASAMI

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 1999 and 16 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is in response to the Application No. 09/343183 filed on 16/30/1999, and the Priority Paper filed on 12/16/1999.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto (US 5,991,276).

Referring to claim 1, Yamamoto discloses a multipoint videoconference system (see Yamamoto, FIGS. 4, 6 and respective portions of the specification, C2: L65-67, C3: L1-11, C5: L37-67, C6, C7, and C8: L1-63) efficiently delivering video, and voice information along with various types of material data signal over an ATM network comprising:

- Connecting means for connecting a general-purpose terminal (see Yamamoto, the ATM interface card 27 of FIG. 4 and the two sets of AAL5 interface units 46c, 46d of FIG. 6);
- Image generating means for generating image data that conforms to the general-purpose terminal (see Yamamoto, the video camera 15, the image scanner 16, the MPEG video

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encoder 23, the JPEG image encoder 24, the multiplexer 26, the demultiplexer 28 of FIG. 4, the MPEG video encoder 51, multiplexers/demultiplexers 47, 57 of FIG. 6);

- Image distributing means for distributing the image data, which have been generated by said image generating means, to the general-purpose terminal via said connecting means (see Yamamoto, the multiplexer 26 of FIG. 4 and the multiplexers/demultiplexers 47, 57 of FIG. 6);
- Audio converting means for converting format of audio data in order that the audio data may be communicated mutually between the general-purpose terminal and the plurality of communication terminals (see Yamamoto, the microphone 17, the MPEG voice encoder 25, the multiplexer 26 of FIG. 4, and the MPEG voice encoder 56, the multiplexers/demultiplexers 47, 57 of FIG. 6);
- Audio distributing means for distributing the audio data, whose format has been converted by said audio converting means, to the communication terminals and/or general-purpose terminal (see Yamamoto, the multiplexer 26 of FIG. 4 and the multiplexers/demultiplexers 47, 57 of FIG. 6);

Referring to claim 2, Yamamoto discloses a system as in claim 1 above, wherein said audio distributing means distributes audio data, which has entered from the general-purpose terminal and whose format has been converted by said audio converting means, to the communication terminals, and distributes audio data, which has entered from the communication terminals and whose format has been converted by said audio converting means, to the general-purpose terminal (see Yamamoto, C5: L62-67, C6: L30-34, C7: L35-52, and C8: L14-25).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as applied to claim 1 above, and further in view of Bruno et al. (US 6,262,978), herein after referred as Bruno.

Referring to claims 3-6, Yamamoto discloses a system as in claim 1 above, but does not expressly disclose wherein said audio converting means converts a voice communication protocol, which corresponds to the general-purpose terminal, makes real-time communication possible, is the Real-Time Transfer Protocol, and/or the Internet Protocol, in the audio data. In the related art, Bruno discloses a method and system for converting video teleconferencing calls to packet calls and vice versa wherein through the Broadband Hybrid Multimedia Resource Allocator (BHMRA) 126, which is a gateway located in the multimedia platform 120 of FIG. 1, the translations/negotiations or conversions of different applications (video, audio and data segments) will take place (see Bruno, FIG. 1 and respective portion of the specification, C2: L29-67, C3: L1-33, C4: L8-18, C5: L16-67, C6, C7, and C8: L1-20).

Referring to claim 15, Yamamoto discloses a system as in claim 1 above, but does not expressly disclose wherein said communication terminals are dedicated video conferencing terminals in compliances with any of ITU-T Recommendations H.320, H.323 and H.324. In the

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related art, Bruno discloses the H.320 standard is a family of videoconferencing standards developed and maintained by the ITU which encompasses a variety of standards for audio compression, video compression, and telephone call set-up control (see Bruno, C1: L36-56, C2: L44-67, and C3: L1-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto and Bruno so as to obtain the claimed invention since such methods/techniques were conventionally employed in converting and transmitting the audio stream package over a data network for audio/video conferencing.

6. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as applied to claim 1 above, and further in view of Jong (US 6,173,250).

Referring to claims 7 and 8, Yamamoto discloses a system as in claim 1 above comprising the data and audio distributing means for distributing the text data to the general-purpose terminal (see Yamamoto, the whiteboard text data transmitter 21 of FIG. 4) and distributing the synthesized voice data to the communication terminals (see Yamamoto, the multiplexer 26 of FIG. 4 and the multiplexers/demultiplexers 47, 57 of FIG. 6), but does not expressly disclose the voice recognition means for recognizing voice data that has entered from the communication terminals and generating text data based upon this recognition and the voice synthesizing means for synthesizing voice data based upon text data that has entered from the general-purpose terminal. In the related art, Jong discloses an apparatus and method for speech-text transmit communication over data networks includes speech recognition devices and text to

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speech conversion devices that translate speech signals input to the terminal into text and text data received from a data network to speech output signals (see Jong, FIGS. 1-4 and respective portions of the specification, C1: L54-67, C2: L1-13, C3: L25-67, C4-C7, and C8: L1-61).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto and Jong so as to have included the voice recognition means for recognizing voice data entered from the communication terminals, then generating and distributing the text data based upon this recognition to the general-purpose terminal; and the voice synthesizing means for synthesizing voice data upon text data entered from the general-purpose terminal, then distributing synthesized voice data to the communication terminals. Since such methods/techniques were conventionally employed in implementing the speech to text and text to speech conversions and transmission to provide real time communication over a data network.

7. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as applied to claim 1 above, and further in view of Schleimer et al. (US 6,249,787), herein after referred as Schleimer.

Referring to claim 9, Yamamoto discloses a system as in claim 1 above, wherein connecting means connects the general-purpose terminal (see Yamamoto, the ATM interface card 27 of FIG. 4 and the two sets of AAL5 interface units 46c, 46d of FIG. 6) but does not expressly disclose that the connecting means connects the general-purpose terminal by the Internet Protocol. In the related art, Schleimer discloses a network browsing system including a host computer coupled to a client computer by a network wherein the browser is used to connect

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the client machine to the Internet by means of the well-known TCP/IP protocol (see Schleimer, FIG. 1 and respective portion of the specification, C2: L35-67, C3: L1-15, and C11: L25-64).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto and Schleimer to have included the connecting means connecting the general-purpose terminal by the Internet Protocol since such methods/techniques were conventionally employed in communication over the Internet.

Referring to claims 10-12, Yamamoto discloses a system as in claim 1 above, but does not expressly disclose that said image generating means generates hypertext data, including image data, based upon image data entered from the communication terminals and generates HTML-format hypertext data. In the related art, Schleimer discloses a network browsing system that comprises an image generating means generates hypertext data, including image data and HTML-format hypertext data (see Schleimer, C5: L40-67, C6: L1-31, C8: L4-67, C9-10, and C11: L1-24). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto and Schleimer so as wherein said image generating means that generates hypertext data, including image data and generates HTML-format hypertext data since such methods/techniques were conventionally employed in the efficient transmission, storage and display of images and other objects over computer networks.

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8. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto and Schleimer as applied to claim 12 above, and further in view of Guedalia (US 6,356,283).

Referring to claims 13 and 14, Yamamoto and Schleimer disclose a system as in claim 12 above, but does not expressly disclose wherein said image distributing means is an HTTP server and said general-purpose terminal internally incorporates a WWW browser. In the related art, Guedalia discloses a system for enabling a user, by means of a client computer, to interactive view a digital image derived from the digital data created by an HTTP server (see Guedalia, FIGS. 1, 3, 6, and respective portions of the specification, C1: L18-65, C4, and C5: L1-12). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto, Schleimer, and Guedalia so as wherein said image distributing means is an HTTP server and said general-purpose terminal internally incorporates a WWW browser since such methods/techniques were conventionally employed in implementing Internet browsing through client computers, HTTP server computer and HTTP browsers.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto and Bruno as applied to claim 15 above, and further in view of Biggs et al. (US 5,673,080), herein after referred as Biggs.

Referring to claim 16, Yamamoto and Bruno disclose a system as in claim 15 above, but do not disclose wherein the data communication control apparatus is in compliance with ITU-T Recommendations H.231 and H.243. In the related art, Biggs discloses a method of establishing

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multimedia conferences between a plurality of endpoint devices and a multimedia server in compliance with ITU-T Recommendations H.231 and H.243 (see Biggs, C1: L18-30, C4: L34-67, C5, and C6: L1-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto, Bruno, and Biggs so as wherein the data communication control apparatus is in compliance with ITU-T Recommendations H.231 and H.243 since such methods/techniques were conventionally employed in the field of multimedia communications.

10. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as applied to claim 1 above, and further in view of Schwartz et al. (US 5,872,923), herein after referred as Schwartz.

Referring to claims 17 and 18, Yamamoto discloses a system as in claim 1 above, but does not expressly disclose wherein said image generating means generates still-picture data from moving-picture data based upon a command from the general-purpose terminal. In the related art, Schwartz discloses a video conferencing system that distributes data to all computers involved in the conference from which each computer can generate a display containing the common image, the modifications, and the video pictures (see Schwartz, C12: L16-67, and C14: L1-28). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto and Schwartz so as wherein said image generating means generates still-picture data from moving-picture data based upon a command from the general-purpose terminal since such methods/techniques were

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conventionally employed in capturing video stream in video conferencing, in generating still-pictures for a photo album or other purposes.

11. Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto, in view of Jong.

Referring to claims 19-21, Yamamoto discloses a multipoint videoconference system (see Yamamoto, FIGS. 4, 6 and respective portions of the specification, C2: L65-67, C3: L1-11, C5: L37-67, C6, C7, and C8: L1-63) efficiently delivering video, and voice information along with various types of material data signal over an ATM network comprising:

- Connecting means for connecting a general-purpose terminal (see Yamamoto, the ATM interface card 27 of FIG. 4 and the two sets of AAL5 interface units 46c, 46d of FIG. 6);
- Image generating means for generating image data that conforms to the general-purpose terminal (see Yamamoto, the video camera 15, the image scanner 16, the MPEG video encoder 23, the JPEG image encoder 24, the multiplexer 26, the demultiplexer 28 of FIG. 4, the MPEG video encoder 51, multiplexers/demultiplexers 47, 57 of FIG. 6);
- Image distributing means for distributing the image data, which have been generated by said image generating means, to the general-purpose terminal via said connecting means (see Yamamoto, the multiplexer 26 of FIG. 4 and the multiplexers/demultiplexers 47, 57 of FIG. 6);
- Data distributing means for distributing the text data to the general-purpose terminal and/or the communication terminals in real-time (see Yamamoto, the whiteboard text data transmitter 21, the whiteboard text data receiver 31 of FIG. 4, see Jong, C5: L22-34);

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However, Yamamoto does not expressly disclose the voice recognition means for recognizing voice data that has entered from the communication terminals and generating text data based upon this recognition. In the related art, Jong discloses an apparatus and method for speech-text transmit communication over data networks includes speech recognition devices and text to speech conversion devices that translate speech signals input to the terminal into text and text data received from a data network to speech output signals (see Jong, FIGS. 1-4 and respective portions of the specification, C1: L54-67, C2: L1-13, C3: L25-67, C4-C7, and C8: L1-61).

Referring to claims 22-24, Jong discloses a system as in claim 19 above, wherein said voice recognition means generates text-chat data and said general-purpose terminal and communication terminals have a data conferencing function based upon text-chat data (see Jong, C4: L57-67, C5, C6, and C7: L1-3).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto and Jong so as to have included the voice recognition means for recognizing voice data entered from the communication terminals, then generating and distributing the text data based upon this recognition to the general-purpose terminal. Since such methods/techniques were conventionally employed in implementing the speech to text and text to speech conversions and transmission to provide real time communication over a data network.

12. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto and Jong as applied to claim 22 above, and further in view of Berry et al. (US 6,404,747), herein after referred as Berry.

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Referring to claim 25, Yamamoto and Jong disclose a system as in claim 22 above, but do not expressly disclose wherein the text-chat data is in compliance with ITU-T Recommendation T.120. In the related art, Berry discloses a Video Multimedia Call Center (VMMCC) with multipoint access through a PBX (private branch exchange) within an ACD (automatic call distribution) environment has both audio and video capabilities wherein the T.120-series of recommendations to provide a means for telecommunicating all forms of data/telematic media between 2 or more endpoints (see Berry, C5: L46-67, and C6: L1-52). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify and combine the systems of Yamamoto, Jong, and Berry so as wherein the text-chat data is in compliance with ITU-T Recommendation T.120 since such methods/techniques were conventionally employed in the field of multimedia communications.

13. Referring to claims 26-30, the apparatus of claims 26-30 are similar to the apparatus of claims 9-16 in their limitations. Thus, the apparatus of claims 26-30 are considered for the reasons as stated in the discussions of claims 9-16.

14. Referring to claim 31, the apparatus of claim 31 is similar to the apparatus of claims 1, 7, and 8 in their limitations. Thus, the apparatus of claim 31 is considered for the reasons as stated in the discussions of claims 1, 7, and 8.

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15. Referring to claims 32-38, the apparatus of claims 32-38 are similar to the apparatus of claims 23, 25, and 26-30 in their limitations. Thus, the apparatus of claims 32-38 are considered for the reasons as stated in the discussions of claims 23, 25, and 26-30.

16. Referring to claims 39-47, the control method, the data communication system, and the recording medium of claims 39-47 are similar to the apparatus of claims 31 in their limitations. Thus, the control method, the data communication system, and the recording medium of claims 39-47 are considered for the reasons as stated in the discussion of claim 31.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to audio/video access and conversion system and video conferencing system in general:

U.S. Pat. No. 5,841,977 to Ishizaki et al.

U.S. Pat. No. 5,884,262 to Wise et al.

U.S. Pat. No. 5,995,490 to Shaffer et al.

U.S. Pat. No. 6,100,882 to Sharmann et al.

U.S. Pat. No. 6,122,259 to Ishida.

U.S. Pat. No. 6,278,772 to Bowater et al.

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18. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on (703) 305-4815. The fax phone numbers for the organization is (703) 746-5485.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Qn
September 5, 2002